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UNCLAS MAPUTO 000113

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SUBJECT: MOZAMBIKAN ELECTIONS: CONSTITUTIONAL COUNCIL

DECLARES GUEBUZA WINNER

REF: MAPUTO 51 AND PREVIOUS

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1. (U) Summary: Mozambique's Constitutional Council, the review body charged with validating election results, formally declared Armando Guebuza, the FRELIMO (ruling party) candidate, the winner of the race for president. Additionally, the Council validated FRELIMO's win of 160 seats in the National Assembly, with 90 seats for the main opposition coalition parties, RENAMO-UE. RENAMO leader Afonso Dhlakama has backed down from his threat to boycott the Assembly. The first seating of the new Assembly will be on January 31, followed by Guebuza's presidential inauguration on February 2. End Summary.

2. (U) On January 20 Mozambique's Constitutional Council proclaimed FRELIMO secretary-general Armando Guebuza the winner of the December 1-2, 2004 election for president, with 64 percent of the vote. RENAMO's Afonso Dhlakama was runner-up, with 32 percent (and three other candidates received the remaining votes). In the National Assembly, FRELIMO increased its presence by garnering 160 seats, up from its current number of 133. RENAMO's tally dropped from 117 down to 90 Assembly seats.

3. (SBU) The results given by the Council, which are final, mirror earlier figures announced on December 21 by the National Elections Commission (CNE). In its ruling, despite acknowledging "irregularities" in the vote, the Council said it did not alter the CNE results because it did not receive a complaint from RENAMO or others on time. Since all parties missed the deadlines specified by law, the Council could do nothing, "however obvious or notorious the irregularities." (Comment: Most observers believe voting and counting problems in the elections had little effect on Dhlakama's poor showing and, at most, cost the party only three or four seats in the Assembly. End Comment.) RENAMO politicians retorted that the CNE missed by nearly a week its obligation to report results "within 14 days of the election," but otherwise did not challenge the Council's view.

4. (U) Declining to intervene to alter the outcome, the Council nonetheless issued a series of recommendations for future elections. First on its list is the need to have a single, consolidated voter registration list (in 2004 there were three separate lists). Other remedies track closely with advice given by national and international election observation groups. The recommendations are not binding on the government, however.

5. (U) Following the Council's validation of the election results, RENAMO retreated from its threat to boycott the National Assembly. In a January 21 statement Dhlakama said that out of respect for the Mozambican people RENAMO would take its seats.

6. (U) The new National Assembly will hold its first session on January 31. President-elect Guebuza will be inaugurated on February 2.

LALIME